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Paper No. **9**

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**DIRECTOR OFFICE
TECHNOLOGY CENTER 2100**

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Dunlap, Coddling & Rogers, P.C.
P.O. Box 16370
Oklahoma City, OK 73113

In re Application of:
Charles C. Freeny, Jr.
Application No. 09/920,669
Filed: August 2, 2001
For: MASTER OPERATING SOFTWARE
SYSTEM

DECISION ON PETITION
UNDER 37 CFR §1.181 TO
WITHDRAW HOLDING OF
ABANDONMENT

This is a decision on the petition filed 27 February 2004 under 37 CFR §1.181 to withdraw the holding of abandonment of the above-identified application.

This application was held abandoned for failure to respond in a timely manner to the Office action mailed 14 July 2003 (Paper No. 6). A Notice of Abandonment was mailed 17 February 2004 (Paper No. 7).

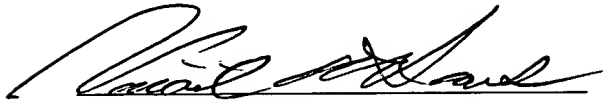
In support of the petition, Petitioner provides a copy of (1) an amendment, (2) a substitute specification, (3) substitute drawings, (4) a petition for an extension of time for 3 months, (5) transmittal form with a certificate of mailing of 14 January 2004, (6) a fee determination form and (7) a fee transmittal form. Petitioner also provides a copy of a post card with a PTO stamp indicating receipt of the aforementioned items at the U.S. Patent and Trademark Office on 14 January 2004, as well as a copy of an Express Mail label stamped 14 January 2004.

A review of the file record indicates that the response was received on 14 January 2004 and has been associated with the file. Therefore, the record is clear that the application was **not abandoned in fact** and a Notice of Abandonment should not have been issued. Therefore, the petition is **GRANTED**. The Notice of Abandonment is withdrawn.

The Office regrets any inconvenience caused by the mailing of the Notice of Abandonment.

The application file is being forwarded to the Technology Center support staff for processing of the response filed 14 January 2004. The file will then be forwarded to the Examiner for appropriate action.

Any inquiry concerning this decision should be directed to Vincent N. Trans whose telephone number is (703) 305-9750.

A handwritten signature in black ink, appearing to read "Vincent N. Trans", is written over a horizontal line.

Vincent N. Trans
Special Program Examiner
Technology Center 2100
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703-305-9750